IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 12775 of 2004

Between:

Smt. P.Veeramma W/o Venkata Subbaiah, Hindu, aged about 45 yrs,
Occupation: Bus Owner, R/o.D.No.3/1273,

Subbireddy Kottal, Proddatur, Kadapa District

..... PETITIONER

AND

The Secretary, Regional Transport Authority

(Regional Transport Officer)
Kadapa -516 001

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, more particularly one in the nature of Writ of mandamus, declaring the action of the respondent in not releasing the petitioners' vehicle bearing R.No.AP-04-T-8197 from the coverage of permit PSP No.17/98 as arbitrary, illegal, malafide and consequently direct the respondent herein viz., The Secretary, Regional Transport Authority (Regional Transport Officer) Kadapa to release the Petitioner's vehicle bearing R.No.AP-04-T-8197 by issuing clearance certificate forthwith

Counsel for the Petitioner:MR.RAJANIKANTH JWALA

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following :

ORDER:

The petitioner is the owner of a bus. It is covered by a stage carriage permit valid up to 07-05-2008 and it is authorized to ply on the existing town service route of Proddutur and other places. Since the vehicle is in a bad condition, he proposes to change the vehicle and replace it with another one. Therefore, he approached the respondent authority through a representation dated 11-12-2003 requesting to release the vehicle from the coverage of permit for replacement of the same with another vehicle.

The grievance of the petitioner is that the respondent authority is not acting upon the representation and no orders have been passed till now, despite reminders dated 19-01-2004 and 09-02-2004.

I find sufficient force in the grievance of the petitioner. The respondent authority is therefore directed to pass appropriate orders on the representation of the petitioner, dated 11-12-2003, on merits after giving opportunity to the petitioner within one month from the date of receipt of a copy of this order.

Writ Petition is accordingly disposed of. No costs.

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22-07-2004.

NOTE:

C.C.in three days.

(B/O)

Rns/Mrb.

To

1. The Secretary, Regional Transport Authority,

(Regional Transport Officer),

Kadakpa.

2. Two CD copies.

3. Two CCs to the Government pleader for Transport, High Court

of A.P., Hyderabad.(O.U.T)

THE HONOURABLE SRI JUSTICE DR.G.YETHIRAJULU

WRIT PETITION NO.12775 OF 2004

DATED: 22…07…2004.